

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	<b>Criminal Case No. 6:13cr00011-1</b>
	)	
<b>v.</b>	)	<b>2255 MEMORANDUM OPINION</b>
	)	
<b>JEFFREY LAWSON MCCORMICK,</b>	)	<b>By: Norman K. Moon</b>
<b>Petitioner.</b>	)	<b>United States District Judge</b>

Petitioner Jeffrey Lawson McCormick, proceeding *pro se*, filed a motion to vacate, set, aside, or correct sentence pursuant to 28 U.S.C. § 2255, challenging the validity of his criminal sentence. The Federal Bureau of Prisons informed the court that McCormick died on May 16, 2016. When changes occur during the course of litigation that eliminate the petitioner's interest in the outcome of the case or the petitioner's need for the requested relief, the case must be dismissed as moot. *See Powell v. McCormack*, 395 U.S. 486, 496 (1969). This case is now moot because McCormick died. *See, e.g., Hailey v. Russell*, 394 U.S. 915 (1969); *Eakes v. McCall*, 533 F. App'x 268 (4th Cir. 2013). Accordingly, I conclude that McCormick's § 2255 motion must be dismissed without prejudice.

**ENTER:** This 26th day of May, 2016.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE